IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

Bail Appl..No. 981 of 2007()

CRIME NO.8/CR/EKM/02 OF CRIME BRANCH, ERNAKULAM

: PETITIONER:

SANTHOSH KUMAR, S/O.GOPI,
AGED 33 YEARS, KALLAMPARAMBIL, MAIKKATUKARA,
NEDUMPASSERY VILLAGE, NOW RESIDING AT
MANAKKADU VILAKOM, CHITTATU MUKKU P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.ALEXANDER GEORGE

RESPONDENT/COMPLAINANT:

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1. STATE OF KERALA, REPRESESNTED BY
ITS DIRECTOR OF PUBLIC PROSECUTION
HIGH COURT OF KERALA, ERNAKULAM.

2. THE CIRCLE INSPECTOR OF POLICE,
CRIME BRANCH C.B.C.I.D.,
PANAMPALLY NAGAR, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 981 OF 2007

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DATED THIS THE 23rd DAY OF FEBRUARY, 2007

O R D E R

Petitioner seeks anticipatory bail on the allegation that the Crime Branch Police, Ernakulam is at his heels.

2. Learned Public Prosecutor on instructions submitted that the petitioner is a strong suspect in Crime No.8/CR/EKM/02 involving the theft of 382 sovereigns of gold, 1350 gms of silver and cash worth Rs.2,42,000/= from a jewellery shop at Kurumassery and that without interrogating the petitioner, the Police may not be able to decide whether the petitioner is to be arrayed as an accused or not.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for bail ordered by the Magistrate in case he is arrayed as an accused in the case. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 27.2.2007 and

01.03.2007 for the purpose of interrogation and recovery of incriminating materials, if any. In the event of the petitioner being arrayed as an accused in the case, he shall prefer an application for regular bail before the Magistrate concerned, who shall consider and dispose of the same, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn